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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY M
DEPUTY CLERK

UNITED STATES OF AMERICA) Docket No. A 99-CR-274 SS
v.)
Austin, Texas
GARY PAUL KARR) June 2, 2000

VOLUME 11 of 12
TRIAL ON THE MERITS
BEFORE THE HONORABLE SAM SPARKS

APPEARANCES:

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Proceedings recorded by mechanical stenography, transcript
produced by computer.

LILY I. REZNIK
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS (AUSTIN)

ORIGINAL

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1 THE COURT: For the record, counsel, I've received
2 Jury Note No. 7. It says, "The jury has reached a unanimous
3 verdict on all counts."

4 THE COURT: Mr. Rodriguez, has the jury come to a
5 verdict?

6 THE JUROR: It has, your Honor.

7 THE COURT: And is the verdict unanimous?

8 THE JUROR: It is.

9 THE COURT: Ms. Sims will come and get it. I'll have
10 the Clerk read the verdict.

11 THE CLERK: As to Count 1, not guilty. As to Count 2,
12 guilty. As to Count 3, guilty. Part 1 of three, no. Count
13 4, guilty. Count 5, guilty. Signed the 2nd day of June,
14 Hector Rodriguez, Presiding Juror.

15 THE COURT: Either party wish the jury polled?

16 MR. CARRUTH: No, your Honor.

17 MR. T. MILLS: Yes, your Honor.

18 THE COURT: Members of the jury, polling is a very
19 simple procedure. Mrs. Sims will read out each of your names,
20 and if the verdict that she just read is your verdict, simply
21 say "Yes." If the verdict that she just read is not, simply
22 say "No."

23 THE CLERK: Juror No. 341, Jeffrey Babcock, is this
24 your true and correct verdict as to each and every count?

25 THE JUROR: Yes.

1 THE COURT: Juror No. 233, Jeffrey Sloan, is this your
2 true and correct verdict as to each and every count?

3 THE JUROR: Yes.

4 THE COURT: Juror No. 192, Terry Olguin, is this your
5 true and correct verdict as to each and every count?

6 THE JUROR: Yes.

7 THE COURT: Juror No. 293, Blake Patterson, is this
8 your true and correct verdict as to each and every count?

9 THE JUROR: Yes.

10 THE COURT: Juror No. 329, Tom Hurt, is this your true
11 and correct verdict as to each and every count?

12 THE JUROR: Yes.

13 THE CLERK: Juror No. 190, Lewis Goodley, is this your
14 true and correct verdict as to each and every count?

15 THE JUROR: Yes, it is.

16 THE CLERK: Juror No. 182, Gloria Mislinski, is this
17 your true and correct verdict as to each and every count?

18 THE JUROR: Yes, it is.

19 THE CLERK: Juror No. 56, Avelina Castillejo, is this
20 your true and correct verdict as to each and every count?

21 THE JUROR: Yes, it is.

22 THE CLERK: Juror No. 338, Donald Scott, is this your
23 true and correct verdict as to each and every count?

24 THE JUROR: Yes, it is.

25 THE CLERK: Juror 157, Christopher Bittick, is this

1 your true and correct verdict as to each and every count?

2 THE JUROR: Yes, it is.

3 THE CLERK: Juror No. 205, Hector Rodriguez, is this
4 your true and correct verdict as to each and every count?

5 THE JUROR: Yes, it is.

6 THE CLERK: Juror No. 64, Cheryl Copeland, is this
7 your true and correct verdict as to each and every count?

8 THE JUROR: Yes, it is.

9 THE COURT: All right. Members of the jury, I'll
10 accept your verdict and order it filed. This will conclude
11 your responsibility in this case. As I know each of you have
12 felt because you've been working hard for three weeks, you
13 understand the enormity of what jurors have to do, and in
14 cases where they last three weeks or one week, it is the way
15 we do things in this country and appreciate very much your
16 service here.

17 I will now discharge you in a minute from your
18 responsibilities so that I will reverse everything I've been
19 telling you for weeks. You're free to talk to anybody and
20 everybody that you want to talk about this case. When you get
21 home, when you stand on the sidewalk, there are a lot of
22 people interested in the case. They may wish to talk to you,
23 but you have this right.

24 You could decline to talk to anybody about the case or
25 you can talk to them. The lawyers and the parties may wish to

1 ask you questions of what your reactions were or that's
2 perfectly fine if you want to answer them. If you don't want
3 to discuss it, for whatever reason, all you have to do is say,
4 "I prefer not to talk about it." Nobody will bother you.
5 Nobody in the media will bother you. None of the lawyers
6 would.

7 I've been at this business since 1963, and I know of
8 no juror in our state who's ever been bothered. I read things
9 about things happening in California, but everything seems to
10 happen in California. So I don't worry about California
11 except when the boys were young, we'd go out and vacation.
12 I've been to Disneyland four -- I have four sons. I've been
13 everywhere four times in California.

14 I have one more administrative duty for you. It's
15 going to take about five minutes, which I will accomplish in
16 the jury room, but with thanks of the court, we will accept
17 the verdict. So if y'all will go in the jury room, I'll take
18 care of it in just a minute.

19 (Jury exited.)

20 THE COURT: I'm going to set sentencing in this case
21 on August the 4th, at 9:00 in the morning. Is that compatible
22 with your schedule, counsel? Mr. Mills?

23 MR. T. MILLS: Yes, sir, as far as I know, it is.

24 THE COURT: How's yours?

25 MR. CARRUTH: Yes, your Honor.

1 THE COURT: I know a lot of you wish to talk with the
2 jurors, and that is fine if they wish to speak to you. If
3 they don't wish to speak to you, I will appreciate your
4 respecting their wishes because if you don't, you're going to
5 do battle with me and you're going to lose.

6 Now, my other three jurors who are loyal, all came
7 here, I appreciate you very much coming here today. I can't
8 try these lawsuits without you. Don't think you're wasting a
9 minute. I hope you enjoyed your time. You have the same
10 instructions. You're free to talk to anybody you wish or go
11 home and get behind a pillow, like I intend to except I'm
12 going to go to the Texas baseball game tonight.

13 But the same instructions that you have. As a matter
14 of fact, I'm going to have the security man take y'all into
15 the room because I've got the same little administrative job
16 with y'all. And I'll remand Mr. Karr to the custody of the
17 Marshal. Counsel, thank you for a well-tried case.

18 (Proceedings adjourned.)
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